

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

VICTOR B. KLEY

Application No.: 10/047,454

Filed: January 14, 2002

For: SCANNING PROBE  
MICROSCOPE ASSEMBLY AND  
METHOD FOR MAKING  
SPECTROPHOTOMETRIC, NEAR-  
FIELD, AND SCANNING PROBE  
MEASUREMENTS

Examiner: Thanh X Luu

Art Unit: 2878

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER 37  
CFR §1.97 and §1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

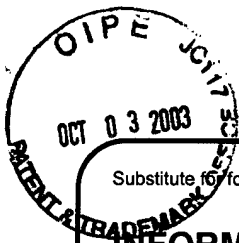
Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

A handwritten signature in black ink that reads "David Slone". The signature is written in a cursive, flowing style.

David N. Slone

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60040228 v1



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 4

**Complete if Known**

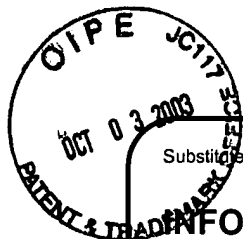
Application Number	10/047,454
Filing Date	January 14, 2002
First Named Inventor	Victor B. Kley
Art Unit	2878
Examiner Name	Thanh X Luu
Attorney Docket Number	020921-001110US

**U.S. PATENT DOCUMENTS+**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	1	6,353,219	03-05-2002	Kley	
	2	2002/0007667	01-24-2002	Pohl et al.	
	3	6,340,813	01-22-2002	Tominaga et al.	
	4	6,337,479	01-08-2002	Kley	
	5	6,252,226	06-26-2001	Kley	
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	7	6,144,028	11-07-2000	Kley	
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	9	6,066,265	05-23-2000	Galvin et al.	
	10	6,031,756	02-29-2000	Gimsewski et al.	
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	12	5,874,726	02-23-1999	Haydon	
	13	5,865,978	02-02-1999	Cohen	
	14	5,825,670	10-20-1998	Chernoff et al.	
	15	5,821,410	10-13-1998	Xiang et al.	
	16	5,756,997	05-26-1998	Kley	
	17	5,751,683	05-12-1998	Kley	
	18	5,721,721	02-24-1998	Yanagisawa	
	19	5,717,680	02-10-1998	Yamano	
	20	5,679,952	10-21-1997	Lutwyche et al.	
	21	5,644,512	07-01-1997	Chernoff et al.	
	22	5,634,230	06-03-1997	Maurer	
	23	5,623,476	04-22-1997	Eguchi	
	24	5,610,898	03-11-1997	Takimoto	
	25	5,602,820	02-11-1997	Wickramasinghe et al.	
	26	5,583,286	12-10-1996	Matsuyama	
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	28	5,559,328	09-24-1996	Weiss et al.	
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	38	5,455,420	10-03-1995	Ho et al.	
	39	5,453,970	09-26-1995	Rust et al.	
	40	5,426,631	06-20-1995	Miyazaki et al.	
	41	5,418,363	05-23-1995	Elings et al.	

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.



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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet 2 of 4

**Complete if Known**

Application Number	10/047,454
Filing Date	January 14, 2002
First Named Inventor	Victor B. Kley
Art Unit	2878
Examiner Name	Thanh X Luu
Attorney Docket Number	020921-001110US

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		Number Kind Code <sup>2</sup> (if known)			
	42	5,416,331	05-16-1995	Ichikawa et al.	
	43	5,414,690	05-09-1995	Shido et al.	
	44	5,414,260	05-09-1995	Takimoto et al.	
	45	5,412,641	05-02-1995	Shinjo	
	46	5,408,094	04-18-1995	Kajimura	
	47	5,396,483	03-07-1995	Matsida	
	48	5,392,275	02-21-1995	Kawada et al.	
	49	5,389,475	02-14-1995	Yanagisawa	
	50	5,373,494	12-13-1994	Kawagishi	
	51	5,360,977	11-01-1994	Onuki et al.	
	52	5,357,109	10-18-1994	Kusumoto	
	53	5,353,632	10-11-1994	Nakagawa	
	54	5,349,735	09-27-1994	Kawase	
	55	5,343,460	08-30-1994	Miyazaki	
	56	5,319,961	06-14-1994	Matsuyama et al.	
	57	5,317,533	05-31-1994	Quate	
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	64	5,278,704	01-11-1994	Matsuda	
	65	5,276,672	01-04-1994	Miyazaki	
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	72	5,210,410	05-11-1993	Barret	
	73	RE34214	04-06-1993	Carlsson et al.	
	74	5,187,367	02-16-1993	Miyazaki	
	75	5,166,520	11-24-1992	Prater et al.	
	76	5,148,308	09-15-1992	Kopelman	
	77	5,142,145	08-25-1992	Yasutake	
	78	5,118,541	06-02-1992	Yamamoto et al.	
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	80	5,107,112	04-21-1992	Yanagisawa et al.	
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Substitute for form 1449B/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Application Number	10/047,454
		Filing Date	January 14, 2002
		First Named Inventor	Victor B. Kley
		Art Unit	2878
		Examiner Name	Thanh X Luu
Sheet 4 of 4	Attorney Docket Number	020921-001110US	

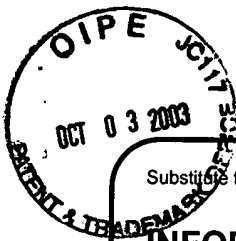
NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	104	AGER et al., "Multilayer hard carbon films with low wear rates," <u>Surface and Coatings Technology</u> , 91:91-94 (1997).	
	105	DAI et al. " Nanotubes as nanoprobe in scanning probe microscopy," <u>Nature</u> 384:147-150 (1996).	
	106	DIAZ, D.C., et al., An Improved Fabrication Technique for Porous Silicon, <u>Rev. Sci. Instrum.</u> 64 (2), Feb. 1993, pp. 507-509.	
	107	GOMYU, H., et al. Effect of Electrochemical Treatments on the Photoluminescence from Porous Silicon, <u>J. Electrochem. Soc.</u> , vol. 139, No. 9, Sep. 1992, pp. L86-L88.	
	108	NOSSARZEWSKA-ORLOWSKA, E., et al., Photoluminescence Properties of Porous Silicon Prepared by Electrochemical Etching of Si Epitaxial Layer, <u>Acta Physica Polonica A</u> , No.4. vol. 84 (1993), pp. 713-716.	
	109	RASMUSSEN et al. "Fabrication of an All-metal Atomic Force Microscope Probe," <u>IEEE</u> (1997).	
	110	ROSSOW, U., et al., Influence of the Formation Conditions on the Microstructure of Porous Silicon Layers Studied by Spectroscopic Ellipsometry, <u>Thin Solid Films</u> , 255 (1995), pp. 5-8.	
	111	SMESTAD, G., et al., Photovoltaic Response in Electrochemically Prepared Photoluminescent Porous Silicon, <u>Solar Energy Materials and Solar Cells</u> , 26, pp. 277-283 (1992).	
	112	TANG, William Chi-Keung, "Electrostatic comb drive for resonant sensor and actuator applications," Abstract of dissertation at the University of California at Berkeley (1990).	

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
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Sheet 3 of 4

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		Number	Kind Code <sup>2</sup> (if known)			
	83	5,047,649		09-10-1991	Hodgson et al.	
	84	5,047,633		09-10-1991	Finlan et al.	
	85	5,043,577		08-27-1991	Pohi	
	86	5,038,322		08-06-1991	Van Loenen	
	87	5,025,346		06-18-1991	Tang	
	88	5,015,850		05-14-1991	Zdeblick	
	89	5,010,249		04-23-1991	Nishikawa	
	90	4,999,495		03-12-1991	Miyata et al.	
	91	4,954,704		09-04-1990	Elings et al.	
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	93	4,831,614		05-16-1989	Duerig	
	94	4,115,806		09-19-1978	Morton	
	95	3,586,865		06-22-1971	Baker et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	96	PCT	WO 01/03157		01-11-2001			
	97	PCT	WO 98/34092	A2	08-06-1998			
	98	PCT	WO 97/04449		02-06-1997			
	99	PCT	WO 96/03641	A1	02-08-1996			
	100	JP	7-105580		04-21-1995			yes
	101	JP	61-133065		06-20-1986			abstract only
	102	JP	1-262403		10-19-1989			abstract only
	103	EP	0325056		07-26-1989			

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